



California Regional Water Quality Control Board

Santa Ana Region



Terry Tamminen
Secretary for
Environmental
Protection

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Arnold Schwarzenegger
Governor

AGENDA ANNOUNCEMENT

REGIONAL BOARD MEETING

Thursday, January 22, 2004

9:00 A.M.

City Council Chambers

25541 Barton Road

Loma Linda

NOTICE

Changes and postponements that may occur to this agenda will be placed on our website and automatically forwarded to those who subscribe to our electronic mailing list. Anyone wishing to subscribe to our electronic agenda mailing list may do so, as follows: go to www.swrcb.ca.gov/rwqcb8 and choose "Subscribe to Electronic Mailing Lists" from the homepage. Those who are not subscribers should visit our website prior to the board meeting date.

Supporting documents for agenda items are now posted on our website at least 7 days prior to the scheduled meeting. To view or download the documentation, go to www.swrcb.ca.gov/rwqcb8 and select the item of interest.

1. **Introductions**
2. **Public Forum** — Any person may address the Board at the commencement of the meeting on any matter within the Regional Board's jurisdiction and not related to an item which is to be considered separately. The Regional Board Chair requests that each person addressing the Regional Board observe a five-minute time limit.
3. **Approval of minutes of the Regular Meeting of November 21, 2003.**
{Barbara J. Laffoon 909/782-3285 blaffoon@rb8.swrcb.ca.gov}
4. **Consideration of Consent Calendar Items.** (Items marked with an asterisk are expected to be routine and noncontroversial. The Regional Board will be asked to approve these items at one time without discussion. If any interested party, Board Member or staff requests that an item be removed from the calendar, it will be taken up in the order shown.)
- *5. **Renewal of Waste Discharge Requirements, Elsinore Valley Municipal Water District, Canyon Lake Water Treatment Plant, Riverside County (NPDES No. CA8000392)** — for discharges of approximately 0.60 mgd of clarified filter backwash wastewater into Canyon Lake.)



- {Jun Martinez 909/782-3258 jmartire@rb8.swrcb.ca.gov} Order No. R8-2004-0004
- *6. **Renewal of Waste Discharge Requirements, Glen Ivy Hot Springs, Inc., Riverside County (NPDES No. CA8000023)** — for discharges of approximately 80,000 gallons per day of spa water and/or swimming pool water to a local drainage ditch tributary to Temescal Creek.
{Jun Martinez 909/782-3258 jmartire@rb8.swrcb.ca.gov} Order No. R8-2004-0003
- *7. **Renewal of Waste Discharge Requirements, Big Bear Municipal Water District, San Bernardino County (NPDES No. CA8000396)** — for the application of an aquatic herbicide (Sonar) in portions of Big Bear Lake and application of aluminum sulfate to the lake where depth of water is greater than 26 feet.
{Jun Martinez 909/782-3258 jmartire@rb8.swrcb.ca.gov} Order No. R8-2004-0007
- *8. **Amend Waste Discharge Requirements, Inland Empire Utilities Agency, Regional Plant No. 5, San Bernardino County, Order No. R8-2003-0003 (NPDES No. CA8000402)** — To amend the waste discharge and producer/user water recycling requirements, adding a footnote to the tertiary treatment requirement.
{Gary D. Stewart 909/782-4379 Gstewart@rb8.swrcb.ca.gov} Order No. R8-2004-0006
- *9. **Amend Waste Discharge Requirements, City of Riverside, Regional Water Quality Control Plant, Riverside County, Order No. 01-3 (NPDES No. CA0105350)** — To add a provision noting that an exceedance of the TDS incremental limit shall not be considered a violation, provided it is due solely to chemical additions in the treatment process needed to meet waste discharge requirements or other valid regulatory requirements.
{Gary D. Stewart 909/782-4379 Gstewart@rb8.swrcb.ca.gov} Order No. R8-2004-0005
10. **Appeal of Staff's Denial of an Exemption from the Minimum Lot Size Requirement – James Lotito, Mill Creek Cattle Station commercial building project**, APN 298-111-21, APN 298-111-18 and part of 19, 1874 Mentone Boulevard, Mentone, San Bernardino County. Proposed development of a restaurant including 75 fixture units on a 1.15 acre lot.
{Jun Martinez 909/782-3258 jmartire@rb8.swrcb.ca.gov}
11. **Appeal of Staff's Denial of an Exemption from the Minimum Lot Size Requirement – Mr. & Mrs. Dehart**, Hemet, Riverside County. Proposed addition of a second residential unit to a 0.831 acre lot. {Jun Martinez 909/782-3258 jmartire@rb8.swrcb.ca.gov}
12. **Public Hearing, Basin Plan Amendment, Nitrogen and Total Dissolved Solids Management in the Santa Ana Region** — The Board will conduct a public hearing to consider adoption of a Resolution to amend the Water Quality Control Plan (Basin Plan) for the Santa Ana Region to incorporate revised groundwater subbasin boundaries, revised nitrate-nitrogen and total dissolved solids water quality objectives for the revised groundwater subbasins, and a revised total dissolved solids and nitrogen implementation plan, including revised wasteload allocations. The proposed amendment also includes groundwater TDS and nitrate-nitrogen objectives based on providing "maximum benefit to the people of the state."
{Hope A. Smythe 909/782-4493 hsmythe@rb8.swrcb.ca.gov} Resolution No. R8-2004-0001

13. **Administrative Civil Liability Complaint, KDG Investments/Sampson Industrial Park, Inc., Orange County** — The Board will consider adoption of Order No. R8-2004-0018 assessing administrative civil liability proposed in Administrative Civil Liability Complaint No. R8-2003-0105. {Mark G. Adelson 909/782-3234 madelson@rb8.swrcb.ca.gov} Order No. R8-2004-0018
14. **Administrative Civil Liability Complaint, Union Pacific Railroad, San Bernardino County** — The Board will consider adoption of Order No. R8-2004-0016 assessing administrative civil liability as proposed in Administrative Civil Liability Complaint No. R8-2003-0124. {Milasol C. Gaslan 909/782-4419 mgaslan@rb8.swrcb.ca.gov} Order No. R8-2004-0016
15. **Administrative Civil Liability Complaint, Southwest School & Office Supply, San Bernardino County** — The Board will consider adoption of Order No. R8-2004-0015 assessing administrative civil liability as proposed in Administrative Civil Liability Complaint No. R8-2003-0134. {Milasol C. Gaslan 909/782-4419 mgaslan@rb8.swrcb.ca.gov} Order No. R8-2004-0015
16. **Mandatory Penalties Complaint, Inca Plastics Molding Company, Inc., San Bernardino County** — The Board will consider adoption of Order No. R8-2004-0014 assessing mandatory penalties as proposed in Mandatory Penalties Complaint No. R8-2003-0133. {Milasol C. Gaslan 909/782-4419 mgaslan@rb8.swrcb.ca.gov} Order No. R8-2004-0014
17. **Mandatory Penalties Complaint, Androp Packaging, Inc., San Bernardino County** — The Board will consider adoption of Order No. R8-2004-0013 assessing mandatory penalties as proposed in Mandatory Penalties Complaint No. R8-2003-0132. {Milasol C. Gaslan 909/782-4419 mgaslan@rb8.swrcb.ca.gov} Order No. R8-2004-0013
18. **Mandatory Penalties Complaint, USA Gasoline Corporation, San Bernardino County** — The Board will consider adoption of Order No. R8-2004-0012 assessing mandatory penalties as proposed in Mandatory Penalties Complaint No. R8-2003-00093. {Kenneth R. Williams 909/782-4496 kwilliams@rb8.swrcb.ca.gov} Order No. R8-2004-0012
19. **Status Report on Rialto-Colton-Fontana Perchlorate Investigation** — Staff will provide an update on the progress of investigation of perchlorate pollution in this area (information item). {Ann E. Sturdivant 909/782-4904 asturdiv@rb8.swrcb.ca.gov}
20. **Hazardous Waste and Sewage Spill Incident Report** — Lists of such incidents will be provided as an information item to the Regional Board (information item). {Kurt V. Berchtold 909/782-3286 kberchto@rb8.swrcb.ca.gov}
21. **Underground Storage Tanks Site Closure Report** — Regional Board Staff will provide to the Board a list of site closures that have occurred within the Region as required by the California Underground Storage Tank Regulations, Title 23, Article 11, Section 2728(d). (Information item). {Kenneth R. Williams 909/782-4496 kwilliam@rb8.swrcb.ca.gov}
22. **Underground Storage Tanks Corrective Action Plans** — Regional Board Staff will provide a list of sites where Corrective Action plans have been submitted within the Region as required by the California Underground Storage Tank Regulations, Title 23, Article 11, Section 2728 (information item). {Kenneth R. Williams 909/782-4496 kwilliam@rb8.swrcb.ca.gov}

23. **Quarterly Violations Report** — A list of violations will be provided to the Board as required by the State Water Resource Control Board's Water Quality Enforcement Policy (information item). {Gary D. Stewart 909/782-4379} Gstewart@rb8.swrcb.ca.gov
24. **Executive Officer's Report** (information item). {Gerard J. Thibeault 909/782-3284 gthibeau@rb8.swrcb.ca.gov}
25. **Regional Board Member Communications** — Board Members may discuss meetings, communications, correspondence, or other items of general interest relating to matters within the Regional Board's jurisdiction. There will be no voting or formal action taken.
26. **Closed Session:** At any time during the regular session, the Regional Board may adjourn to a closed session to consider litigation, personnel matters, or to deliberate on a decision to be reached based upon evidence introduced during a hearing. Discussion of litigation is within the attorney/client privilege and may be held in closed session.

Authority: Government Code Section 11126 (a), (c)(3), and (e). Items which may be discussed in closed session by the Board include litigation related to:

1. Stringfellow Hazardous Waste Site
 2. Potential litigation: Discussion of Executive Officer's referral to the District Attorney of Clean Water Act violations for criminal prosecution.
 3. Kwikset Corporation v. California Regional Water Quality Control Board, Santa Ana Region, Superior Court for Riverside County, Case No. 391541.
 4. Emhart Industries, Inc. v. California Regional Water Quality Control Board, Santa Ana Region, Superior Court for Riverside County, Case No. 397528.
 5. Yucaipa Glen LLC
 6. Potential litigation: Cities of Rancho Cucamonga and Upland v. California Regional Water Quality Control Board, Santa Ana Region, and State Water Resources Control Board, Superior Court for San Bernardino County, Case No. RCV 071613.
 7. Waste Discharge Requirements for the Rapid Infiltration and Extraction Facility (RIX).
27. **Adjournment** to the regular meeting of March 12, 2004, at 9:00 a.m., at the Cucamonga County Water District.

NOTICES

Any person who has a disability and requires special accommodation to participate in this Regional Board Meeting should contact Barbara Laffoon blaffoon@rb8.swrcb.ca.gov or at 909/782-3285 no later than ten (10) days prior to meeting.

Any person interested in obtaining information and/or providing input regarding pending applications for Water Quality Standards Certification under Section 401 of the Federal Clean Water Act may do so by contacting Mark G. Adelson at (909) 782—3234.

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Internet Address: <http://www.swrcb.ca.gov/rwqcb8>

BOARD INFORMATION SHEET

BOARD MEMBERS

Carole H. Beswick, Chair
Fred M. Ameri, Vice-Chair
John B. Withers
Jose J. Solorio
Seymour D. Van Gundy
Joan L. Dotson
William Ruh
Vacant
Vacant

APPOINTMENT CATEGORY

County Government
Industrial Water Use
Water Quality
Municipal Government
Water Quality
Water Supply
Recreation, Fish and Wildlife
Undesignated (Public)
Irrigated Agriculture

STATE BOARD LIAISON

Peter S. Silva

STAFF LEGAL COUNSEL

Jorge Leon

REGIONAL BOARD SENIOR STAFF

Gerard J. Thibeault, Executive Officer
Kurt V. Berchtold, Assistant Executive Officer, Ombudsman
Joanne E. Schneider, Environmental Program Manager
Robert L. Holub, Supervising Water Resource Control Engineer
Michael J. Adackapara, Supervising Water Resource Control Engineer
Gary D. Stewart, Chief of Surveillance and Enforcement
Dixie B. Lass, Chief of Land Disposal
Stephen D. Mayville, Chief of Dairies/Chino Basin
Wanda Marquis-Smith, Chief of Basin Planning - Coastal Waters
Hope A. Smythe, Chief of Basin Planning - Inland Waters
Mark G. Adelson, Chief of Regional Planning Programs
Mark E. Smythe, Chief of Stormwater - Coastal
Milasol C. Gaslan, Chief of Stormwater - Inland
Jun Martinez, Chief of Regulations
Ann E. Sturdivant, Chief of SLIC/Department of Defense
Kenneth R. Williams, Chief of Pollutant Investigations
Dorothy Wolfinbarger, Regional Administrative Officer
Barbara Laffoon, Executive Assistant

GENERAL STATEMENT

The primary duty of the Regional Board is to protect the quality of the waters within the Region for all beneficial uses. This duty is implemented by formulating and adopting water quality control plans for all ground and surface water bodies in the region and by prescribing and enforcing requirements on waste discharges. The specific responsibilities and procedures of the Regional Water Quality Boards and the State Water Resources Control Board are outlined in the Porter-Cologne Water Quality Control Act (Division 7, California Water Code).

The purpose of this meeting is for the Board to obtain testimony and information from concerned and affected parties and make decisions after considering the recommendations made by the Executive Officer. The Board and the staff welcome information on pertinent problems but comments at the meeting should be brief and directed to specifics of the case to enable the Board to take the appropriate action. Whenever possible, lengthy testimony should be presented to the Board in writing one week before the scheduled meeting and only a summary of pertinent issues to be presented verbally. For each matter considered, relevant Regional Board files are incorporated into the record.

A copy of the procedures governing Regional Water Board meetings may be found at Title 23, California Code of Regulations, Section 647 et seq., and is available upon request. Hearings before the Regional Water Board are not conducted pursuant to Government Code Section 11500 et seq.

DISCLOSURE STATEMENT

All persons who actively support or oppose the adoption of waste discharge requirements or NPDES permits pending before the Regional Board, must submit a statement to the board disclosing any contribution of \$250.00 or more to be used in a federal, state, or local election, made by the action supporter or opponent, or his/her agent, within the last twelve months to any Regional Board Member.

Also, all permit applications and all persons who actively support or oppose adoption of a set of waste discharge requirements and/or NPDES permits pending before the Regional Board are prohibited from making contributions of \$250.00 or more to any Board member for three months following a Regional Board decision on the permit application.

RIGHT TO PETITION

Any person affected adversely by a decision of the California Regional Water Quality Control Board, Santa Ana Region (Regional Board), may petition the State Water Resources Control Board (State Board) to review the decision. The petition must be received by the State Board within thirty days of the Regional Board's meeting at which the adverse action was taken. Copies of the law and regulations applicable to filing petitions will be provided upon request to the Regional Board.

NOTE: The agenda items are numbered for identification purposes only and will not necessarily be considered in the order listed. The Public Forum item will be limited to one hour.
